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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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| In re | : | Chapter 11 |
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| SEARS HOLDINGS CORPORATION, et al., | : | Case No. 18-23538 (RDD) |
| | : | |
| Debtors.: | : | (Jointly Administered) |
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STATUS ON MOTION TO LIFT THE AUTOMATIC STAY (DOCKET No. 1006)
STATUS ON PROOF OF CLAIM and OBJECTION TO THE DEBTORS EMAIL
NOTICE DATED JUNE 27, 2019, TO WHICH DEMANDING WITHDRAWAL OF
ADVERSARY COMPLAINT AGAINST SEARS DEBTORS (Adv. Pro. No. 19-08269)

TO: HONORABLE ROBERT D. DRAIN,
UNITED STATES BANKRUPTCY JUDGE

As medically unable to appear for the instant hearing of July 11, 2019, I Brian Coke Ng, creditor in the above captioned chapter 11 proceedings respectfully submit and give status on the motion to lift the automatic stay (ECF Docket No. 1006), status on the proof of claim filed on March 1, 2019, and further submit objection to the debtors Email Notice dated June 27, 2019, to which demanding a withdrawal of adversary complaint dated June 17, 2019, against Sears debtors (Adv. Pro. No. 19-08269).

THIS COURT ORDER DATED FEBRUARY 28, 2019 (Doc 2723)

1. Upon motion filed on November 30, 2018 (ECF Docket No.1006) requesting relief from the automatic stay, and upon the objection of the debtors dated January 11, 2019 (ECF Docket No. 1547) and upon the reply of Brian Coke Ng dated January 18, 2019 (ECF Docket No. 1721) and upon the record of the hearing held by this Court on the motion on February 14, 2019, this Court had issued an Order, in separate parts on quote:

"1. The motion is denied with respect to the civil action currently pending in the United States District Court for the Southern District of New York, captioned Brian Coke Ng v. Kmart Pharmacy et. Al., Case No. 18-CV-9373 (AJN)(BCM), without prejudice to the movant's rights to seek relief from the automatic stay with respect to such action upon materially different circumstances than existed on the date of the hearing."

"2. The motion is adjourned to a date to be determined and scheduled by Mr. Ng with this Court with respect to the claim referred to in the Motion as Action #2."

"3. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order."

2. I understood the circumstances during the hearing, to which the motion had been Ordered adjourned by this honorable Court, and had construed that the motion is "adjourned to a date to be determined and scheduled" by only **BRIAN COKE NG** with this Court with respect to the Claim referred to in the motion as action #2. I felt honored to follow the guidance and direction of this Court provided at the hearing held on February 14, 2019, to file a proof of claim.

After the filing of the proof of claim. I have not yet determine a date to schedule a hearing with this Court, with respect to the claim referred to in the motion as Action #2, that is, because the debtors and their attorneys had been busy engaging in bad faith, and over the time they have been displaying various unproductive tactics to hinder and delay any possible process for creating or tabling an estimate of the proof of claim, a possible peaceful resolution, and clearly avoiding any possible productive communications, and as for a positive outcome, to which this Court was contemplating while providing meaningful and helpful guidance and direction during the hearing held on February 14, 2019. As for evidence, this Court may see the various emails communications and those bad faith ones from the debtors attorneys, shown and attached hereto.

HEARING HELD ON FEBRUARY 14, 2019

3. At the hearing held on February 14, 2019, I was on several medications and medical treatments and could hardly barely keep up as a result of medical challenges and side effects from the medicines. See all medicines I was prescribed to at **Exhibit (1)** hereto. I had medical challenges, to which includes Asthma attacks, emotional distress, stress, depression, and headaches. I can recalled during the time getting very emotional at times and found it very hard to even keep myself together to suppress and avoid crying over the very painful circumstances that I must now bear, just for my medical records.

4. In addressing the second portion of the motion with respect to the claim referred to in the motion as Action #2, this Court may recalled that I had advised and informed this Court that the medical records in question were created with alterations and falsifications in November 2018, and I specifically says November 6, 2018. even at the periods of my ongoing emotional distress and medical challenges. Then, this Court had clearly advised and stated that there's an administrative claims bar date that was going to be set, and that the Claim that I am presenting

would be a Post-Petition Claim. Shortly thereafter, I was going to make a statement pertaining to a separate event that had occurred in August 2018, but I was not able to complete what I really wanted to say to the court during the time. In fact, there were moments of confusion, because the August 2018, events is a totally separate matter and occurrences to which must deal with separately. The November 6, 2018, events and occurrences is actually the epicenter, central point and main course of the claim. During the confusion, this court also stated that, if its August 2018, it's pre-petition, and that there's going to be a bar date and that I needed to comply with the bar date and file a proof of claim.

5. Also, during the hearing held on February 14, 2019, this court had indicated that, upon filing of the proof of claim, the debtors will have a better idea of what the claim is about. I had honestly hold on those statements and believe it to simply mean that this court reflects and identified both the Post-Petition Claims, and the Pre-Petition Claims as separate occurrences and separate matters that must be deal with separately and/or accordingly, and I further construed that, in any event, it was important to comply with the bar date and file a proof of claim reflecting both the Post-Petition Claims, and the Pre-Petition Claims.

THE POST-PETITION CLAIM OF NOVEMBER 6, 2018

How The Claim Arose, and What The Claim Is Based On

6. My Post-Petition Claims are pretty straight forward and clear to the eyes, in that, (a) The debtors have an obligation and duty to give me my medical records as each fully described in the Judicial Subpoena dated June 29, 2018, (b) On September 20, 2018, the debtors had advised and informed the Supreme Court of the State of New York, New York County, that they had complied with the Judicial Subpoena dated June 29, 2018, after they had provided records on August 22, 2018 and August 27, 2018, respectively. **See attachments at Exhibit (2).**

7. On November 6, 2018, the debtors had created/produced additional medical records via fax, to which had never before seen and absolutely new to my eyes, and to the court's eyes. Specifically, this was significantly shocking and alarming on more than one fronts, including the obvious fact, that the debtors and their attorneys had lied and misled the honorable Supreme Court of the States of New York, County of New York, and did the very same things to me. At which point, on November 6, 2018, when such things was revealed to me and I realized that it was really apparent, noticeable, obvious and clear that the debtors had willfully and maliciously hindered and delayed those medical records to render and create them bearing various alterations and falsifications on November 6, 2018. Notably, I still do not receive the totality of my medical records as they either were willfully and maliciously destroyed and/or ruined and/or corrupted.

8. As a consequence, I became sick of those kinds of conduct and eventful things that had occurred on November 6, 2018, and developed stress, emotional distress and asthma attack, due to those stressful situations and the kind of workup I was forced to engaged into, so to try to investigate those kinds of matters, including the fraud, fabrication, dishonesty, lies and deception. I then was made to received hospital treatments and care on December 22, 2018. I was given medications and anti-emetics and treated for the stress, anxiety, depression, nausea, vomiting, and new onset diabetes and was placed on strict diabetic diet and medications. I was also advised by the doctors that the continued stress and anxiety had been affecting my blood sugar and that medical research and medical studies and findings show a link between these kinds of anxiety and glucose levels. In fact, during such time, my blood glucose levels had reached a stunning several hundreds over the normal and tremendously high. My post-petition claims should not be misconstrued, misinterpreted or misunderstand by the debtors.

PROOF OF CLAIM

9. I respectfully relied on this court guidance and direction and filed a proof of claim on March 1, 2019. It is currently on the debtors claims register and marked claim #9234. I certainly believe that I must followed this court guidance and direction and filed the proof of claim to: **(a)** to give the debtors an opportunity and a better idea of what the claim is about; **(b)** for the claim to be reasonably liquidated, for an amount agreed on by the parties; and **(c)** for the motion to be in an adjournment to facilitate the parties good faith approach to liquidate the claim, and to avoid any ambiguity as to the appropriate result here in this Court.

10. It should be a reminder, and certainly noted, that this court did not grant or deny the second portion of the motion. At the hearing on February 14, 2019, this court had indicated that it did not know enough about the claim at that point, because it don't have anything that really lays out the claim in writing, and so, this court then gave guidance and direction to file the proof of claim.

THE DEBTORS BAD FAITH AND EMAILS

11. I had took good faith steps and made contact with the debtors attorneys after the proof of claim was filed. During the initial telephone conversation in early April 2019, the debtors attorneys had promised to send me an email of a letter from the debtors, to reflect a formal response to my proof of claim, but had further indicated that such letter was being review by another department before it could be sent to me. However, I never ever received any such letter via email from the debtors or their attorneys. But shortly thereafter, I saw the status of the proof of claim on the debtors claims register marked and labeled "contingent" "unliquidated" and "disputed". Such status was in a direct conflict with the hearing held on February 14, 2019.

12. In an email dated April 12, 2019, from the debtors attorneys, I was been advised, in separate parts, on quote: "*the debtors do not believe that you have a right to payment for a post petition claim, the debtors are not permitted to make payment on prepetition claims. The debtors have not yet evaluated all of the thousands of claims that were filed in these cases and the amount that may be available for distributions to prepetition creditors is currently undetermined.*"

13. In another email dated April 12, 2019, from the debtors attorneys, I was been advised, in separate parts, on quote: "*We are very unlikely to agree to a resolution that involves payment to you in the short term.*"

14. Shortly thereafter, it was noted that, there were no consent or mutual agreement by the parties for any scheduling of any hearing with this court on April 18, 2019, or May 21, 2019. In another email dated April 17, 2019, from the debtors attorneys, I was been advised, in separate parts, on quote: "*Please confirm that you are planning on attending the hearing tomorrow. If you prefer, we can adjourn that to the next hearing on May 21st. Please let us know.*"

COMMUNICATION BROKE DOWN BETWEEN THE PARTIES

15. In another email dated April 17, 2019, from the debtors attorneys, I was been advised, in separate parts, on quote: "*We will take your motion off of the calendar and we will not put it back on an agenda unless you file something else with the court. We will respond, as necessary, to any further pleadings. Please refrain from communicating with us outside of that process in the interim.*"

16. As a result of the above stated facts, I was forced by the debtors and their attorneys to engage in their challenge. The debtors and their attorneys had literally facilitated and encouraged the steps taken with respect to the adversary proceeding (Case # 19-08269) to which was filed with this court on June 17, 2019. The debtors and their attorneys had promised me, that "*We will respond, as necessary, to any further pleadings.*"

17. In another email dated June 27, 2019, from the debtors attorneys, I was been advised, in separate parts, on quote: "*We note that you filed an adversary complaint against the sears debtors (Adv. Pro. No. 19-08269). The complaint mirrors your prepetition proof of claim and "Action #2" that you reference in your pending motion to lift the automatic stay (Docket No. 1006). You will recalled that the court did not grant you motion to lift the automatic stay with respect to Action #2 and adjourned your motion with respect to Action #2 until you scheduled a further hearing date. Accordingly, the debtors believe that the filing of your complaint is a violation of the automatic stay and therefore is void. The debtors hereby request that you withdraw your complaint promptly. If the complaint is not withdrawn, the debtors will advise the Bankruptcy Court of the status of this matter at the next scheduled hearing on July 11th. All rights of the debtors are reserved.*"

18. See copies of the series of emails tread, email chain, and mailing streaming of the long dialogs between the parties, attached hereto as **Exhibit (3)**.

Therefore, for all the reason(s) stated above, the debtors email notice, dated June 27, 2019, to which demanding withdrawal of the adversary complaint against the sears debtors (Adv. Pro. No. 19-08269) is hereby objected and rejected in its totality and entirety. Additionally, the scheduled hearings on July 11, 2019. is not appropriately in place or position for this instant hearing by the debtors. The debtors are required to answer or file a motion to the Summons and

Complaint dated June 17, 2019. This court has already scheduled a pretrial conference and hearing for August 14, 2019. However, upon this submission currently before this court, if this court will determine otherwise, then as part of any alternative to this ongoing matter, I hereby respectfully request that this court also issued an Estimate of my Post Petition Claim to which presented in my proof of claim. Section 502 (c) of the Bankruptcy Code mandates the estimation "for purposes of allowance" of almost any contingent or unliquidated claim where failure to do so "would unduly delay the administration of the case.", and that Brian Coke Ng be granted such other relief to which he may be entitled, and as just and proper.

Respectfully Submitted,

Dated: New York, New York

July 11, 2019

All Prepare for, upon request of
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| SEARS HOLDINGS CORPORATION, et al., | : | Case No. 18-23538 (RDD) |
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| Debtors.: | : | (Jointly Administered) |
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| | : | JUDGE: Hon. Robert D. Drain |
| | : | |
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CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2019 a true and correct copy of the foregoing documents has been served upon the following parties listed on the annexed **Exhibit A** via email, and in the manner indicated thereon.

New York, New York

Dated: July 11, 2019

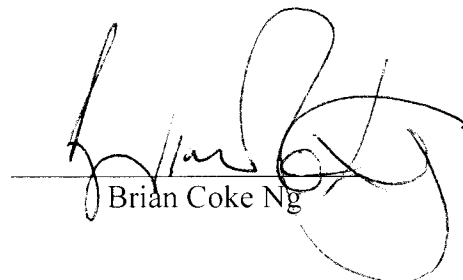

Brian Coke Ng

EXHIBIT A

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| Norton Rose Fulbright US LLP | Attn: Howard Seife, Esq., & Christy Rivera, Esq. | howard.seife@nortonrosefulbright.com christy.rivera@nortonrosefulbright.com |
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| Office of The United States Trustee for Region 2 | Attn: Paul Schwartzberg, Richard Morrissey | richard.morrissey@usdoj.gov paul.schwartzberg@usdoj.gov |
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| Price Meese Shulman & D'Arminio, P.C. | Attn: Rick A. Steinberg | rsteinberg@pricemeese.com |
| Prime Clerk LLC | Attn: Herb Baer, Richard M. Allen | searsteam@primeclerk.com serviceqa@primeclerk.com |
| Procopio, Cory, Hargreaves & Savitch LLP | Attn: Gerald P. Kennedy | gerald.kennedy@procopio.com |
| Pryor & Mandelup, L.L.P. | Attn: Robert L. Pryor | rlp@pryormandelup.com |
| Reid and Riege, P.C. | Attn: Charles J. Filardi, Jr. | cfilardi@rriawpc.com |

| NAME | NOTICE NAME | EMAIL |
|-----------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------|
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| Saul Ewing Arnstein & Lehr LLP | Attn: Phillip M. Hudson III, Carmen Contreras-Martinez | phil.hudson@saul.com carmen.contreras-martinez@saul.com |
| Securities & Exchange Commission | Attn: Secretary of the Treasury | secbankruptcy@sec.gov NYROBankruptcy@sec.gov |
| Securities & Exchange Commission – NY Office | Attn: Bankruptcy Department | bankruptcynoticeshr@sec.gov |
| Seyfarth Shaw LLP | Attn: Edward M. Fox | emfox@seyfarth.com |
| Shearman & Sterling LLP | Attn: Fredric Sosnick, Sara Coelho | fsosnick@shearman.com sara.coelho@shearman.com |

| NAME | NOTICE NAME | EMAIL |
|-----------------------------------------------|------------------------------------------------------------------------|---------------------------------------------------------------------------------|
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| Smiley Wang-Ekvall, LLP | Attn: Lei Wang Ekvall, Philip E. Strok | pstrok@swelawfirm.com |
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| SRAC Medium Term Notes | Attn: Mary A. Callahan Vice President | mary.callahan@bnymellon.com |
| SRAC Unsecured Notes | Attn: Mary A. Callahan Vice President | mary.callahan@bnymellon.com |
| Stark & Stark, P.C. | Attn: Thomas S. Onder, Joseph H. Lemkin | tonder@stark-stark.com jlemkin@stark-stark.com |
| Stevens & Lee, P.C. | Attn: Constantine D. Pourakis | cp@stevenslee.com |
| Streusand, Landon, Ozburn & Lemon, LLP | Attn: Sabrina L. Streusand | streusand@slollp.com |
| Sullivan & Cromwell LLP | Attn: Andrew G. Dietderich, Brian D. Glueckstein, David R. Zylberberg | dietdericha@sullcrom.com zylberbergd@sullcrom.com |
| Tannenbaum Helpert Syracuse & Hirschtritt LLP | Attn: Michael J. Riela | Riela@thsh.com |

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| NAME | NOTICE NAME | EMAIL |
|-------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Taubman Landlords | Attn: Andrew S. Conway | aconway@taubman.com |
| The Pension Benefit Guaranty Corporation (PBGC) | Attn: Judith Starr, Kartar S. Khalsa, William McCarron, Jr., & Adi Berger, Director | Starr.Judith@pbgc.gov mccarron.william@pbgc.gov efile@pbgc.gov |
| Thompson Hine LLP | Attn: Curtis L. Tuggle | Curtis.Tuggle@ThompsonHine.com |
| TJ Tianxing Kesheng Leather Products Co Ltd | Attn: Power Wang | powerwangtxks@vip.126.com |
| TN Dept of Revenue | Attn: Herbert H. Slatery III, Marvin E. Clements, Jr. | AGBankNewYork@ag.tn.gov |
| U.S. Bank National Association | Attn: Jose A Galarza, Vice President, Global Structured Finance | jose.galarza@usbank.com |
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| Vedder Price P.C. | Attn: Michael L. Schein | mschein@vedderprice.com |
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| Warner Norcross + Judd LLP | Attn: Gordon J. Toering | gtoering@wnj.com |
| Weil, Gotshal & Manges LLP | Attn: Ray C. Schrock, P.C., Jacqueline Marcus, Garrett A. Fail, Sunny Singh | ray.schrock@weil.com garrett.fail@weil.com jacqueline.marcus@weil.com sunny.singh@weil.com JeriLeigh.Miller@weil.com jessica.liou@weil.com Paloma.VanGroll@weil.com |
| Weiss Zarett Brofman Sonnenklar & Levy, P.C. | Attn: Michael D. Brofman, Esq. | mbrofman@weisszarett.com |
| Whiteford, Taylor & Preston LLC | Attn: Stephen B. Gerald | sgerald@wtplaw.com |

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| NAME | NOTICE NAME | EMAIL |
|-----------------------------------------------|-----------------------------------------|-----------------------------------------------|
| Williams Legal Advisory Group, LLC | Attn: Amy M. Williams | awilliams@williamsadvisors.com |
| Willkie Farr & Gallagher LLP | Attn: Alan J. Lipkin, Gabriel Brunswick | alipkin@willkie.com gbrunswick@willkie.com |
| Wilmington Trust, National Association | Attn: Steven Cimalore, Vice President | scimalore@wilmingtontrust.com |
| Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP | Attn: Simon Aron | saron@wrslawyers.com |
| Wyatt, Tarrant & Combs, LLP | Attn: Mary L. Fullington | mfullington@wyattfirm.com |

| NAME | NOTICE NAME | EMAIL |
|-------------------------------------------------------------------------------------------|------------------------|---------------------|
| Attorneys for PDX, Inc./NHIN DeBello Donnellan Weingarten Wise & Wiederkehr, LLP | Attn: Julie Cve Curley | Jcurley@ddw-law.com |

EXHIBIT 1

CO



27 1159062 000 000 00 0000000

CO



27 1159056 000 000 00 0000000

Prescription Information

| | |
|-------------|-------------|
| MORNING | MORNING |
| MIDDAY | MIDDAY |
| EVENING | EVENING |
| BEDTIME | BEDTIME |

▲ PHARMACY ADVICE
See back for more information

COMBIVENT RESPIMAT

20-100 MCG

Take 1 inhalation inhalers 4 times a day

Important Information

- May cause dizziness
- Drug may impair ability to operate a vehicle, vessel or machine. Use care.
- See instructions for priming this product.
- Take or use this exactly as directed. Do not skip doses or discontinue.
- Avoid contact with eyes

Prescription Information

| | |
|-------------|-------------|
| MORNING | MORNING |
| MIDDAY | MIDDAY |
| EVENING | EVENING |
| BEDTIME | BEDTIME |

▲ PHARMACY ADVICE
See back for more information

IPRAT-ALBUT

0.5-3(2.5) MG/3 ML

Common brand(s): Duoneb

Take 1 inhalation vial 3 times a day

Important Information

- May cause dizziness
- Drug may impair ability to operate a vehicle, vessel or machine. Use care.
- Take or use this exactly as directed. Do not skip doses or discontinue.
- Avoid contact with eyes
- Protect from light

Receipt & Refill Information

| | | |
|---------------------------------------------------------------------------------------------------------------------|--------------|------------------------------------------------|
| CVS Pharmacy 129 Fulton Street New York, NY 10038 | STORE#: 2716 | COMBIVENT RESPIMAT 20-100 MCG |
| STORE TEL: (212) 233-5021 RX: 1159062 00 | | NDC: 00597-0024-02 DAW: 0 QTY: 4 GM |
| INSURANCE INFORMATION: TMESYS - PCN CAL TP: 3820 GR AUTH: 1-51193233 | | CAP: Safety MFR PKG: Yes |
| REFILL: 5 by 1/25/20 MFR: BOEHRINGER ING PRSCBR: Wilfredo Talavera DAYS SUPPLY: 30 DATE FILLED: 1/29/19 | | AMOUNT DUE: \$0.00 |

Receipt & Refill Information

| | | |
|------------------------------------------------------------------------------------------------------------|--------------|-------------------------------------------------|
| CVS Pharmacy 129 Fulton Street New York, NY 10038 | STORE#: 2716 | IPRAT-ALBUT 0.5-3(2.5) MG/3 ML |
| STORE TEL: (212) 233-5021 RX: 1159056 00 | | NDC: 00378-9671-30 DAW: 0 QTY: 270 ML |
| INSURANCE INFORMATION: TMESYS - PCN CAL TP: 3820 GR AUTH: 1-51193251 | | CAP: Safety MFR PKG: Yes |
| REFILL: 5 by 1/25/20 MFR: MYLAN PRSCBR: Wilfredo Talavera DAYS SUPPLY: 30 DATE FILLED: 1/29/19 | | AMOUNT DUE: \$0.00 |

Notes from the Pharmacy

Please see IMPORTANT information regarding your medication in the back panel and check with your Pharmacist for details

Notes from the Pharmacy

Get important updates to help you stay on track with your health. See back for details.

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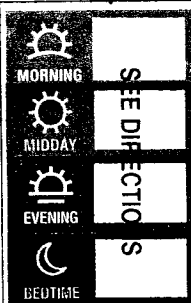
CO 

27 1159059 000 000 00 0000000

Coke ING Brain

AD-Andriy Nasyrov, MD, 100880000
DOB: 1/6/62 TEL: (848) 759-2852

Prescription Information

**ADVAIR 250-50 DISKUS**

Take 1 inhalation blisters 2 times a day

Important Information

- Rinse mouth well after each use.
- Drug does not work immediately. Do not use for acute attack.
- This drug will not stop an asthma attack once it has started.
- If symptoms worsen during treatment, seek medical help immediately.
- Wait at least 1 minute between different inhaled medications.

▲ PHARMACY ADVICE

See back for more information

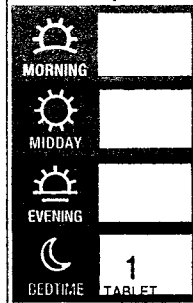
CO 

27 1159037 000 000 00 0000000

Coke ING Brain

AD-Andriy Nasyrov, MD, 100880000
DOB: 1/6/62 TEL: (848) 759-2852

Prescription Information

**MONTELUKAST SOD
10 MG TABLET**

Common brand(s): Singulair

Take 1 tablet by mouth everyday at bedtime

Important Information

- Drug does not work immediately. Do not use for acute attack.
- This drug will not stop an asthma attack once it has started.
- Call doctor if you experience mood changes, sadness, depression or fear.
- This medicine may be taken with or without food.
- Save time with ReadyFill and we'll have your refills ready for you. Ask about enrolling today!

▲ PHARMACY ADVICE

See back for more information

Receipt & Refill Information

| | | |
|----------------------------------------------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------|
| CVS Pharmacy 129 Fulton Street New York, NY 10038 | STORE#: 2716 | ADVAIR 250-50 DISKUS |
| STORE TEL: (212) 233-5021 RX: 1159059 00 | | NDC: 00173-0696-00 DAW: 0 QTY: 60 EA (1 BOX) CAP: Safety MFR PKG: Yes |
| INSURANCE INFORMATION: TMESYS - PCN CAL TP: 9222 GR AUTH: 1-51175345 | | REFILL: 5 by 1/25/20 MFR: GLAXOSMITHKLINE PRSCBR: Wilfredo Talavera DAYS SUPPLY: 30 DATE FILLED: 1/28/19 |
| RETAIL PRICE: \$456.99 | | AMOUNT DUE: \$0.00 |

Receipt & Refill Information

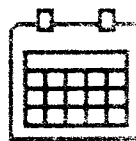
| | | |
|----------------------------------------------------------------------------|--------------|---------------------------------------------------------------------------------------------------------------|
| CVS Pharmacy 129 Fulton Street New York, NY 10038 | STORE#: 2716 | MONTELUKAST SOD 10 MG TABLET |
| STORE TEL: (212) 233-5021 RX: 1159037 00 | | NDC: 00093-7426-98 DAW: 0 QTY: 30 EA CAP: Safety MFR PKG: Yes |
| INSURANCE INFORMATION: TMESYS - PCN CAL TP: 9222 GR AUTH: 1-51193248 | | REFILL: 5 by 1/25/20 MFR: TEVA USA PRSCBR: Wilfredo Talavera DAYS SUPPLY: 30 DATE FILLED: 1/29/19 |
| RETAIL PRICE: \$99.99 | | AMOUNT DUE: \$0.00 |

Notes from the Pharmacy



Get important updates to help you stay on track with your health. See back for details.

Notes from the Pharmacy



Ask the Pharmacist for your personal Prescription Schedule.

♥ **CVS pharmacy**OPEN
HERE →♥ **CVS pharmacy**OPEN
HERE →

WAITING

CO 

Doc 4524 Filed 07/11/19 Pg 25 of 44



27 1152160 000 001 00 0000061





Entered 07/12/19 13:28:48 Main Document

CO 







27 1152159 000 001 00 0001199

Prescription Information

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
|  |  |  |  | BANOPHEN 25 MG CAPSULE Common brand(s): See Drug Monograph Take 1 capsule by mouth everyday at bedtime |
| Important Information - May cause drowsiness. Use care when operating a vehicle, vessel or machine. - May cause dizziness - May cause blurred vision | | | | |

See back for more information

Prescription Information

| | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  |  |  | LORAZEPAM 0.5 MG TABLET Substituted for: Ativan 0.5 Mg Tablet 1 tablet by mouth every day as needed for anxiety. MAX DAILY DOSE: 1 TAB |
| Important Information - CONTROLLED SUBSTANCE, DANGEROUS UNLESS USED AS DIRECTED. - May cause drowsiness and dizziness. Careful using vehicle, vessel, machines. - Use with opioids may cause serious breathing problems or severe drowsiness | | | | |

See back for more information

Receipt & Refill Information

| | |
|----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CVS Pharmacy 129 Fulton Street New York, NY 10038 STORE TEL: (212) 233-5021 RX: 1152160 00 | STORE#: 2716 BANOPHEN 25 MG CAPSULE NDC: 00904-5306-80 DAW: 0 QTY: 30 EA CAP: Safety MFR PKG: Yes REFILL: 0 Refills MFR: MAJOR PHARMACEU PRSCBR: Yi Xie DAYS SUPPLY: 30 DATE FILLED: 1/8/19 AMOUNT DUE: \$0.61 |
|----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Receipt & Refill Information

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|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CVS Pharmacy 129 Fulton Street New York, NY 10038 STORE TEL: (212) 233-5021 RX: 1152159 00 | STORE#: 2716 LORAZEPAM 0.5 MG TABLET NDC: 00591-0240-05 DAW: 0 QTY: 10 EA CAP: Safety MFR PKG: Yes REFILL: 0 Refills MFR: WATSON LABS PRSCBR: Yi Xie DAYS SUPPLY: 10 DATE FILLED: 1/8/19 AMOUNT DUE: \$11.99 |
|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Notes from the Pharmacy

| | |
|--------------------|-------------------------------------------------------------------------|
| ACTION NOTE | This medication is not covered by your insurance. See back for details. |
|--------------------|-------------------------------------------------------------------------|

Notes from the Pharmacy

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|--------------------|-------------------------------------------------------------------------|
| ACTION NOTE | This medication is not covered by your insurance. See back for details. |
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 **CVS pharmacy**

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 **CVS pharmacy**

OPEN HERE 

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11/12/19 13:28:48
Scripts: 01
Pg 26 of 44



27 1147331 000 002 00 0001199

CO



11/12/19 13:28:48
Scripts: 01



27 1147331 000 002 00 0000280

Prescription Information

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|----------------|
| | MORNING | SEE DIRECTIONS |
| | MIDDAY | |
| | EVENING | |
| | BEDTIME | |
| ▲ PHARMACY ADVICE ▲ | | |
| See back for more information | | |
| LORAZEPAM 0.5 MG TABLET Common brand(s): Ativan Take 1 mg tab by mouth daily as needed as directed. MAX DAILY DOSE: 1 TAB Important Information <ul style="list-style-type: none">- CONTROLLED SUBSTANCE, DANGEROUS UNLESS USED AS DIRECTED.- May cause drowsiness and dizziness. Careful using vehicle, vessel, machines- Use with opioids may cause serious breathing problems or severe drowsiness | | |

Prescription Information

| | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|----------------|
| | MORNING | SEE DIRECTIONS |
| | MIDDAY | |
| | EVENING | |
| | BEDTIME | |
| ▲ PHARMACY ADVICE ▲ | | |
| See back for more information | | |
| CVS DIPHENHYDRAMINE 25 MG CAP Common brand(s): See Drug Monograph Take 1 mg cap by mouth daily at bedtime as needed for oral use Important Information <ul style="list-style-type: none">- May cause drowsiness. Use care when operating a vehicle, vessel or machine.- May cause dizziness- May cause blurred vision | | |

Receipt & Refill Information

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CVS Pharmacy 129 Fulton Street New York, NY 10038 STORE TEL: (212) 233-5021 RX: 1147331 00 INSURANCE INFORMATION: No insurance applied AUTH: T91812287AAVC1 | LORAZEPAM 0.5 MG TABLET NDC: 00591-0240-05 DAW: 0 QTY: 5 EA CAP: Safety MFR PKG: Yes REFILL: 0 Refills MFR: WATSON LABS PRSCBR: William Chiang DAYS SUPPLY: 5 DATE FILLED: 12/23/18 AMOUNT DUE: \$11.99 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Receipt & Refill Information

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CVS Pharmacy 129 Fulton Street New York, NY 10038 STORE TEL: (212) 233-5021 RX: 1147331 00 INSURANCE INFORMATION: No insurance applied AUTH: DH1812235C5461 | CVS DIPHENHYDRAMINE 25 MG CAP NDC: 50428-0473-92 DAW: 0 QTY: 20 EA CAP: Safety MFR PKG: Yes REFILL: 0 Refills MFR: CVS PRSCBR: William Chiang DAYS SUPPLY: 20 DATE FILLED: 12/23/18 AMOUNT DUE: \$2.80 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Notes from the Pharmacy

| | |
|--------------------|-------------------------------------------------------------------------|
| ACTION NOTE | This medication is not covered by your insurance. See back for details. |
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Notes from the Pharmacy

| | |
|--------------------|-------------------------------------------------------------------------|
| ACTION NOTE | This medication is not covered by your insurance. See back for details. |
|--------------------|-------------------------------------------------------------------------|

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EXHIBIT 2

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: **HON. DAVID B. COHEN**
J.S.C.

Justice

NG, BRIAN COKE

-v-

KMART PHARMACY

PART

58

100386-18

INDEX NO.

MOTION DATE

MOTION SEQ. NO.

4

The following papers, numbered 1 to _____, were read on this motion to/for _____

Notice of Motion/Order to Show Cause — Affidavits — Exhibits _____

No(s).

Answering Affidavits — Exhibits _____

No(s).

Replying Affidavits _____

No(s).

Upon the foregoing papers, it is ordered that this motion is: **DECLINED TO SIGN FOR**

**REASON STATED ON THE RECORD. RECORDS
HAVE BEEN PROVIDED, PLAINTIFF'S CLAIM THAT
THEY HAVE BEEN ALTERED IS, AT BEST, AN
ISSUE FOR THE TRIER OF FACT. ALSO, MOTION FOR
CONTEMPT IS NOT IN PROPER FORM.**

**CONFERENCE IS ADJOURNED TO 12-19-2018
@ 9:30 AM PENDING PLAINTIFF'S MOTION TO
AMEND THE CAPTION.**

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE
FOR THE FOLLOWING REASON(S):

Dated: 3-20-2018



HON. DAVID B. COHEN

J.S.C.

J.S.C.

1. CHECK ONE: ☐ CASE DISPOSED ☒ NON-FINAL DISPOSITION
2. CHECK AS APPROPRIATE: MOTION IS: ☐ GRANTED ☒ DENIED ☐ GRANTED IN PART ☐ OTHER
3. CHECK IF APPROPRIATE: ☐ SETTLE ORDER ☐ SUBMIT ORDER
- ☐ DO NOT POST ☐ FIDUCIARY APPOINTMENT ☐ REFERENCE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No.: 100386/18

-----X
BRIAN COKE NG

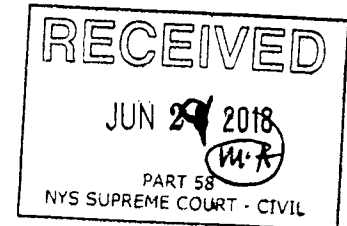
Plaintiffs,

JUDICIAL SUBPOENA
DUCES TECUM

-against-

KMART PHARMACY
KMART HOLDING CORPORATION
SEARS HOLDINGS CORPORATION
SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.

Defendants.
-----X



TO: Kmart Pharmacy
770 Broadway
New York, N.Y. 10003

WE COMMAND YOU, that all business and excuses being laid aside, you and each of you produce before Hon. Presiding Justice at New York County Supreme Court, at 60 Centre Street, New York, New York 10007 on or before the 20th day of July 2018, at 9:30 o'clock, in the forenoon, on the part of the Plaintiff, the following records pertaining to: **BRIAN COKE NG (patient), D/O/B: [REDACTED]**

Certified copy of each and every part of medication profile and all records maintained relating to the Plaintiff Brian Coke Ng, including all reports, notes, mental health information, known allergies and drug reactions, chronic diseases, list of medications and relevant devices and other information reported to the pharmacist appropriate for counseling an individual regarding use of prescription and over-the-counter drugs; and a Certified copy of Kmart Pharmacy Notice of Privacy Practices with effective date September 2, 2014, as well as a Certified copy with effective date January 6, 2015 respectively.

(Pursuant to the Civil Practice Law and Rules Section 2301, all papers or other items delivered to the court pursuant to this subpoena shall be accompanied by a copy of this subpoena.)

Failure to comply with this subpoena is punishable as a contempt of Court and shall make you liable to the persons on whose behalf this subpoena was issued for a penalty not to exceed fifty dollars and all damages sustained by your failures to comply.

WITNESS, Honorable *David B. Cohen* one of the Justices of said Court, at 60 Centre Street, New York, New York 10007 the 29th day of June, 2018.

NO APPEARANCE REQUIRED

Please forward medication profile
Records along with the attached
Certification of Business Records
Sworn and signed to: New York
County Supreme Court
Subpoenaed Records Room
60 Centre Street, Room 145-M
New York, New York 10007

Brian Coke Ng

Brian Coke Ng, (Plaintiff)

40 Ann Street
New York, N.Y. 10038
Tel: 646.318.5571

David B. Cohen

SO ORDERED

HON. DAVID B. COHEN
J.S.C.



AUTHORIZATION FOR USE AND DISCLOSURE



MUST BE FILLED OUT COMPLETELY

BY SIGNING THIS FORM I AM INSTRUCTING KMART PHARMACY TO DISCLOSE MY PERSONAL HEALTH INFORMATION AS FOLLOWS:

Patient Name: BRIAN COKE NG aka: _____

Date of Birth: [REDACTED] Date of Death (if applicable) NA

Address: 40 ADD STREET, NEW YORK, N.Y. 10038

I voluntarily authorize and permit disclosure of any and all medical records including pharmacy prescription and expense records for the time period of: JANUARY 2010 through JUNE 2018 (NOTE: We do NOT have records over 10 years old)

COPIES OF NOTICE OF PRIVACY PRACTICES Relating to My Medication Profile/records
If my records contain information about drug and/or alcohol abuse, mental health, HIV/AIDS and/or sexually transmitted diseases, I agree to its release, only if initialed below (person signing Authorization must INITIAL those for which permission to release is given):

Drug Abuse _____
Alcohol Abuse _____

HIV/AIDS _____
Mental Health ✓

Sexually Transmitted Disease _____
Sickle Cell Anemia _____

PLEASE SEND MY RECORDS TO [] ME OR TO []
Kmart Notice of Privacy Practices

Name: New York County Supreme Court
Subpoenaed Records Room

Complete Address: 60 Centre Street, Room 145N
New York, N.Y. 10007

The purpose of this request to release and/or disclose the personal health information described above is

☒ Pending litigation, or ☐ Insurance Submission, or ☐ Taxes, or ☐ Other (describe)

This Authorization will expire on during pending litigation on June 2018 (If I fail to specify a date this authorization will automatically expire 90 days from the day of my signature)

I understand that 1) I can revoke this Authorization at any time by giving my written revocation to the Kmart Pharmacy. My revocation is not effective as to disclosures already made and actions already taken in reliance upon this Authorization; 2) Kmart Pharmacy may NOT condition treatment, enrollment in the health plan or eligibility for benefits on whether I sign this Authorization; 3) I am authorizing disclosure of information protected under federal law; 4) This information, once disclosed, may be subject to re-disclosure by the recipient and no longer be protected by state or federal law; 5) I have the right to receive a copy of the authorization; and 6) A photocopy or facsimile of this authorization shall have the same authority as the original and may be substituted in its place.

By my signature I certify that the information provided is true and complete. If signed by the parent or legal guardian, I certify that the patient is not [varies by individual state] married, a member of the armed forces or otherwise an emancipated minor. I understand that Kmart Pharmacy may be prohibited by law from providing certain health information and that this information will be redacted from the health information Kmart provides me.

Signature: [Signature]

Date: June 29, 2018

Printed Name: BRIAN COKE NG

Patient

Your Relationship to Patient* (Must Be Completed)

*NOTICE ALL AUTHORIZATIONS EXECUTED BY PERSONS OTHER THAN THE PATIENT ARE REQUIRED TO BE REVIEWED BY THE LAW DEPARTMENT AT CORPORATE HEADQUARTERS PURSUANT TO THE PROVISIONS OF THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (45 CFR 916-900, ET SEQ.) UNLESS YOU ARE A PARENT OF AN EMANCIPATED MINOR PATIENT, ALL PERSONS WHO EXECUTE THIS AUTHORIZATION ON BEHALF OF THE PATIENT ARE REQUIRED TO PROVIDE DOCUMENTATION WHICH LEGALLY EMPOWERS THEM WITH THE AUTHORITY TO RELEASE THE PERSONAL HEALTH INFORMATION SOUGHT. FAILURE TO PROVIDE SUCH DOCUMENTATION WILL RESULT IN A DENIAL OF THE REQUEST TO RELEASE RECORDS.

PHARMACIST MUST COMPLETE THIS SECTION:

VERIFICATION OF ID OF PERSON SIGNING AUTHORIZATION:

☐ Driver's License ☐ Passport ☐ Military
☐ State I.D. ☐ School I.D. (Minor Only)

ID Number & State: _____

PHARMACISTS ACKNOWLEDGEMENT OF ID VERIFICATION:

Pharmacist Full Name: _____

Pharmacist Signature: _____

Date ID Verified: _____

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No.: 100386/18

-----x
BRIAN COKE NG

**CERTIFICATION OF
BUSINESS RECORDS**

Plaintiffs,

-against-

KMART PHARMACY
KMART HOLDING CORPORATION
SEARS HOLDINGS CORPORATION
SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.
Defendants.

-----x
STATE OF NEW YORK

COUNTY OF _____

I _____, the undersigned herein, being duly sworn, deposes and says:

1. I am the duly authorized custodian or other qualified witness of Mr. Brian Coke Ng's medication profile/records, and the Kmart Pharmacy Notice of Privacy Practices to which maintained as business records of Kmart Pharmacy #7777, and located at 770 Broadway, New York, N.Y. 10003, and have the authority to make the certification.

2. To the best of my knowledge, after reasonable inquiry, Mr. Brian Coke Ng's medication profile/records, and Kmart Pharmacy Notice of Privacy Practices bearing effective date: _____, and bearing the location of: New York or the copies thereof are accurate and genuine versions of the documents described in the subpoena duces tecum that are in the possession, custody or control of Kmart Pharmacy #7777, located at 770 Broadway, New York, N.Y. 10003.

3. To the best of my knowledge, after reasonable inquiry, Mr. Brian Coke Ng's medication profile/records, and Kmart Pharmacy Notice of Privacy Practices bearing effective date(s): _____, and bearing the location of: New York, represent all the documents described in the subpoena duces tecum, except that the following documents are missing for the reason stated: _____

4. Mr. Brian Coke Ng's medication profile/records, and Kmart Pharmacy Notice of Privacy Practices bearing effective date(s): _____, and bearing the location of: New York or copies produced were made by the personnel or staff of the Kmart Pharmacy business, or persons acting under their control, in the regular course of business, at the time of the act, transaction, occurrence or event recorded therein, or within a reasonable time thereafter, and that it was the regular course of business to make such records.

Affiant's Signature

SWORN TO AND SUBSCRIBED before me on this the _____ day of _____, 2018.

SEAL

Notary Public

My commission expires: _____

EXHIBIT 3



Brian Coke Ng <briancng38@gmail.com>

Sears

Fail, Garrett <Garrett.Fail@weil.com>
To: Brian Coke Ng <briancng38@gmail.com>
Cc: "Peshko, Olga" <Olga.Peshko@weil.com>

Thu, Jun 27, 2019 at 11:43 AM

Mr. Ng,

We note that you filed an adversary complaint against the Sears Debtors (Adv. Pro. No. 19-08269).

The complaint mirrors your prepetition proof of claim and "Action #2" that you reference in your pending motion to lift the automatic stay (Docket No. 1006). You will recall that the Court did not grant your motion to lift the automatic stay with respect to Action #2 and adjourned your motion with respect to Action #2 until you scheduled a further hearing date. Accordingly, the Debtors believe that the filing of your complaint is a violation of the automatic stay and therefore is void. The Debtors hereby request that you withdraw your complaint promptly. If the complaint is not withdrawn, the Debtors will advise the Bankruptcy Court of the status of this matter at the next scheduled hearing on July 11th. All rights of the Debtors are reserved.



Garrett Fail
Partner

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+1 516 642 4031 Mobile
+1 212 310 8007 Fax

* Objection!! The Court Did NOT
Deny the Second portion of the
motion, either... NO violation,
whatsoever. Please govern
yourself accordingly!!

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Brian Coke Ng <briancng38@gmail.com>

Re: Proof of Claim, In re Sears Holdings Corporation, eat all., debtors. Case No. 18-23538 ((RDD)) (jointly Administered)

Fail, Garrett <Garrett.Fail@weil.com>
To: Brian Coke Ng <briancng38@gmail.com>
Cc: "Peshko, Olga" <Olga.Peshko@weil.com>

Wed, Apr 17, 2019 at 1:19 PM

Thank you for your response. We will take your motion off of the calendar and we will not put it back on an agenda unless you file something else with the court. We will respond, as necessary, to any further pleadings. Please refrain from communicating with us outside of that process in the interim.



Garrett Fail
Partner

Weil, Gotlib & Manges LLP
1200 Broadway
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Garrett.Fail@weil.com
212.261.4455 Direct
212.261.4051 Mobile
212.261.4007 Fax

From: Brian Coke Ng <briancng38@gmail.com>
Sent: Wednesday, April 17, 2019 4:15 PM
To: Peshko, Olga <Olga.Peshko@weil.com>
Cc: Fail, Garrett <Garrett.Fail@weil.com>
Subject: Re: Proof of Claim, In re Sears Holdings Corporation, eat all., debtors. Case No. 18-23538 ((RDD)) (jointly Administered)

Dear Ms. Peshko,

Thanks for your email this afternoon. Please be advised, that I am not aware of any basis for hearing at the Bankruptcy court tomorrow. I did not agreed to any on my behalf, or determined and scheduled any hearing pertaining to my proof of claim. I did not receive any formal written statements, contentions or disputes from the debtors, and so I am not aware of the basis or for a confirmation with you.

Additionally, I am on medications and medical treatments currently and not doing well. As you have asked how do I plan to proceed moving forward, I had repeatedly advised you and Mr. Fail and even in my last email, that since PDX Inc. is also a responsible party, my next trip to the Bankruptcy court is to file an adversary proceeding today or tomorrow.

I did my best with good faith in trying to seek a peaceful resolution in all matters. Over the weekend, Mr. Fail, who essentially don't know how to communicate or talk to people, and has no manners, was very disrespectful and out of order with me. In fact, he had even failed to respond to my last email to him.

Therefore, I had made up my mind to file an adversary proceeding as soon as I am feeling a little better medically, even if doing so will cost me my life or if I will drop dead in the bankruptcy Court.

Best Regards,

Cc: Bankruptcy Court

On Apr 17, 2019, at 2:19 PM, Peshko, Olga <Olga.Peshko@weil.com> wrote:

Mr. Ng,

Please confirm that you are planning on attending the hearing tomorrow. If you prefer, we can adjourn that to the next hearing, on May 21st. Please let us know.

In addition, below are answers to your questions regarding Prime Clerk's website. For any further clarification on the information on the claims register, please reach out to prime clerk directly.

With regard to your questions on terminology used on the Prime Clerk website summary (the question on "CU"), we believe that stands for "contingent" and "unliquidated" – however, we refer you to Prime Clerk for confirmation if you need that, as Prime Clerk runs the website, not Weil. You can contact Prime Clerk here: <https://restructuring.primeclerk.com/sears/Home-SubmitInquiry>.

The "Schedule" section on the page you are referring to only applies to claims scheduled by the Debtors, which is inapplicable here – this is a claim you filed, not a claim scheduled by the Debtors.

Regards,

Olga

From: Brian Coke Ng <briancng38@gmail.com>
Sent: Monday, April 15, 2019 12:21 PM
To: Fail, Garrett <Garrett.Fail@weil.com>
Cc: Peshko, Olga <Olga.Peshko@weil.com>
Subject: Re: Proof of Claim

Good Morning Mr. Fail and Ms. Peshko, I am following up with you from our last communication over the weekend. I haven't receive a reply after my last email to you last Friday evening. As you can see the present situation as I had indicated my last email to you, I would like to know where do we go from here, and what you and/or the debtors proposing at this juncture?. Thanks.

Sincerely,

Brian Coke Ng

On Apr 12, 2019, at 8:13 PM, Fail, Garrett <Garrett.Fail@weil.com> wrote:

We are very unlikely to agree to a resolution that involves payment to you in the short term. Please govern yourself accordingly.

On Apr 12, 2019, at 7:37 PM, Brian Coke Ng <briancng38@gmail.com> wrote:

Mr. Fail and Ms. Peshko, thanks again for your email this afternoon. However, please be mindful of the situation and circumstances here. In respect to my questions at this juncture. If something positive and productive is possible between all parties for finding a peaceful resolution to everything, then I respectfully asking to please let us try to at least consider what that may be. Going forward with good faith in mind sir, I am happy to speak with you to find a productive and mutual ground to resolve the matters, because these

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 Email Re: Proof of Claim In re Sharp Holdings Corporation, et al., debtors, Case No. 18-23538 (RUL) (Jointly Administered)
 matters literally killing me and I wish to get over this mess once and for all. So, If this approach for an opportunity to talk may be productive for all sides, then I will try to make myself available for a telephone conversation so to maybe find a common ground or possibly for a meeting at the court or at your office next week.

Please advise on this offer. Thanks sir.

Respectfully,

Brian Coke Ng

Sent from my iPhone

On Apr 12, 2019, at 3:05 PM, Fail, Garrett <Garrett.Fail@weil.com> wrote:

Mr Ng, we are trying to be efficient. Responding in full to your emails, which set arbitrary deadlines and contain threats of bad faith, at the expense of the Debtors would neither be efficient nor most productive. I am willing to have a conversation and attempt to answer any questions that you have. Let us know when you free up next week if you would like to accept that offer. In the meantime, be advised that the Debtors do not believe that you have a right to payment for a postpetition claim; the Debtors are not permitted to make payments on prepetition claims. The Debtors have not yet evaluated all of the thousands of claims that were filed in these cases and the amount that may be available for distributions to prepetition creditors is currently undetermined.

On Apr 12, 2019, at 2:57 PM, Brian Coke Ng <briancng38@gmail.com> wrote:

Good afternoon Mr. Fail and Ms. Peshko.

Thanks for your attempt to call me this afternoon, my telephone number remains the same, but I am currently away on personal private matters and will not be available today or on Monday, and will not have access to any telephone and not available to listen to any story.

Since Olga already promised me a letter via email from the debtors, and I am currently waiting for such letter, please to kindly send what you may have to tell me on the telephone in a reply email with the letter from the debtors. I only will have access to my emails. Thanks for the understanding.

Respectfully,

Brian Coke Ng

On Apr 12, 2019 at 2:20 PM Fail, Garrett <Garrett.Fail@weil.com> wrote:

Mr. Ng,

We have attempted to call you at the telephone number on your proof of claim and prior pleadings. Please email a telephone number at which you can be reached and times at which you will be available this afternoon or on Monday.

- image01.jpg

Garrett Fail
 Partner

Weil, Gotshal & Manges LLP
 767 Fifth Avenue
 New York, NY 10150
Garrett.Fail@weil.com
 Tel: 212 312 4000
 Fax: 212 312 4001

From: Brian Coke Ng <briancng38@gmail.com>
Sent: Friday, April 12, 2019 8:00 AM
To: Peshko, Olga <Olga.Peshko@weil.com>
Cc: Fail, Garrett <Garrett.Fail@weil.com>
Subject: Re: Proof of Claim

Good Morning Ms. Peshko,

I don't see anything set forth in good faith from the debtors for any peaceful resolution. In fact, I had been promised a letter/response and call before, but nothing happen. so I started to believe that I was simply misled and leaded on by the debtors attorneys/counsel that there may be a possible positive outcome.

In regards to PDX Inc. as you may aware, there is indeed a complaint to answer to, and I have no other alternative, but to file the adversary proceeding documents today or early next week or soon thereafter, so that all matters may be heard in the bankruptcy court and let the jury or court decide everything. As you may have seen in my complaint, I have been suffering enough, and enough is enough.

Best Regards

Brian Coke Ng

On Apr 11, 2019, at 12:21 PM, Peshko, Olga
<Olga.Peshko@weil.com> wrote:

Mr. Ng,

We will give you a call shortly today on your questions.

I am not aware of any basis under federal law for bringing an adversary proceeding in Sears's chapter 11 cases by a creditor against a non-debtor party like PDX. You and PDX should deal with your dispute outside of these cases.

Olga

From: Brian Coke Ng <brianng@gmail.com>
Sent: Thursday, April 11, 2019 11:43 AM
To: Peshko, Olga <Olga.Peshko@weil.com>
Subject: Re: Proof of Claim

Good Morning Ms. Peshko,

If you may recall that during our conversation last week, you had promised to send me an email of a letter from the debtors in response to my proof of claims matters that I had raised, but that the letter was being review by another department before it could be sent to me.

It has been more than a week since I was advised of such letter, and I have not received any letter from the debtors.

You had asked how do I plan to proceed with the matters with respect to my proof of claim, and I had advised you that I was waiting on the debtors' response that you promised to send via email.

As you have mentioned, the debtors will appear in court next week on April 18, and some other date next month. As I have stated before, I do not agree to put the court on notice for a hearing and don't know the contents of the debtors response, so to give me an opportunity to be fully prepared.

During our telephone conversation you had briefly mentioned something about pre-petition and post-petition claims that may needed a court hearing to determine.

At this point, If a hearing is needed as you have mentioned last week, Then I believe it's appropriate to file a lawsuit against PDX Inc. and very soon, I plan to file with the bankruptcy court an adversary proceeding against the non-debtors PDX Inc. and bring them into the court too.

If you have questions, please contact me. Thanks

Best Regards,

Brian Coke Ng

On Mar 14, 2019, at 11:24 AM, Peshko, Olga
<Olga.Peshko@weil.com> wrote:

Mr. Ng,

We note this proof of claim does not
appear to be filed on the Debtors'

claims registered properly submit
this claim by following the instruction
available at <https://restructuring.primeclerk.com/sears/EPOC-Index>.

Olga

From: Brian Coke Ng
<briancng38@gmail.com>
Sent: Friday, March 1, 2019 3:24 PM
To:
James.Vincequerra@alston.com;
leib.lerner@alston.com;
ajd@ansellgrimm.com;
eneiger@asklp.com;
jchristian@asklp.com;
branchd@ballardspahr.com;
harnerp@ballardspahr.com;
kutnera@ballardspahr.com;
heilmanl@ballardspahr.com;
Matthew Summers
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knewman@barclaydamon.com;
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rmills@bellnunnally.com;
klove@bellnunnally.com;
Tgaa@bbslaw.com;
JRhodes@blankrome.com;
Tarr@blankrome.com;
EZucker@blankrome.com;
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wborges@borgeslawllc.com;
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rdavis@cafareocompany.com;
jlevitin@cahill.com;
rstieglitz@cahill.com; Mike
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James Gadsden
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Dennis.roemlein@bnymellon.com;
rmccord@certilmanbalin.com;
rnosek@certilmanbalin.com;
appleby@chapman.com;
wilamowsky@chapman.com;
brotenberg@csglaw.com;
szuber@csglaw.com;
ksimard@choate.com;
jmarshall@choate.com;
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 >; cgriffiths@connollygallagher.
 com; mfelger@cozen.com;
 pzumbro@cravath.com;
 dhw@dhclegal.com;
 marshall.huebner@davispolk.com;
 eli.vonnegut@davispolk.com;
 sears.service@davispolk.com;
 mcto@debevoise.com;
 eweisgerber@debevoise.com;
 Leopold.matt@epa.gov;
 lbercovich@epicor.com; Paul
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 mark.wilson@fisherbroyles.com;
 patricia.fugee@fisherbroyles.com;
 dlwright@foley.com;
 msmall@foley.com;
 plabov@foxrothschild.com;
 mhail@foxrothschild.com;
 mherz@foxrothschild.com;
 brad.eric.scheler@friedfrank.com;
 scott.luftglass@friedfrank.com;
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 lrymer@fmdlegal.com; Gary Seitz
 <gseitz@gsbblaw.com>;
 btneisen@gibbonslaw.com;
 nsongonuga@gibbonslaw.com;
 ncohen@gibbonslaw.com; Timothy
 Nixon <tnixon@gklaw.com>;
 jflaxer@golenbock.com;
 mweinstein@golenbock.com;
 gfox@goodwinlaw.com;
 bbazian@goodwinlaw.com;
 drosner@goulstonstorrs.com;
 thoffmann@goulstonstorrs.com;
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 cliu@kelleydrye.com;
 ssouthard@klestadt.com;

lkiss@klipac.com;
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 RZucker@LasserHochman.com;
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 harlan lazarus
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 com>; harlan lazarus
 <harlan.lazarus@gmail.com>;
 ilan.markus@leclairryan.com;
 niclas.ferland@leclairryan.com;
 dallas.bankruptcy@publicans.com;
 houston_bankruptcy@publicans.
 com; sanantonio.bankruptcy@
 publicans.com; jfarnum@linowes-
 law.com; braynor@lockelord.com;
 asmith@lockelord.com;
 dwirt@lockelord.com;
 bbuechler@lowenstein.com;
 tieday@mvalaw.com;
 bmcgrath@mcglinchey.com;
 kromano@mcglinchey.com;
 mchaney@mcglinchey.com;
 raguilar@mcglinchey.com;
 rcerone@mcglinchey.com;
 sdnyecf@dor.mo.gov;
 laura.mccarthy@morganlewis.com
 ; neil.herman@morganlewis.com;
 smiller@morrisjames.com;
 CMiller@MNAT.com;
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rabiuso@swc-law.com;
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cbelmonte@ssbb.com;
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secbankruptcy@sec.gov;
NYROBankruptcy@sec.gov;
bankruptcynoticeschr@sec.gov;
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tcohen@sheppardmullin.com;
rreinert@shutts.com;
rtucker@simon.com;
mshriro@singerlevick.com;
paul.leake@skadden.com;
shana.elberg@skadden.com;
george.howard@skadden.com;
enotices@skijain.com;
pstrok@swelawfirm.com;
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mary.callahan@bnymellon.com;
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jlemkin@stark-stark.com;
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zylberbergd@sullcrom.com;
Riela@thsh.com;
aconway@taubman.com;
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<mccarron.william@pbgc.gov>;
efile@pbgc.gov;
Curtis.Tuggle@thompsonhine.com
; powerwangtxks@vip.126.com;
AGBankNewYork@ag.tn.gov;
jose.galarza@usbank.com;
David.Jones6@usdoj.gov;
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Joseph.Cordaro@usdoj.gov;
Carina.Schoenberger@usdoj.gov;
Lawrence.Fogelman@usdoj.gov;
Peter.Aronoff@usdoj.gov;
Linda.Riffkin@usdoj.gov;
ketzel@vedderprice.com;
mschein@vedderprice.com;
notice@waldrepllp.com;
gtoering@wnj.com; Schrock, Ray

<https://mail.google.com/mail/u/0/?ik=237d5f59ec&view=pt&search=all&permmsgid=msg-f%3A1631093913941512662&dsqt=1&simpl=msg-f%3A163...> 10/11

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